

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$67,090.00 IN U.S.
CURRENCY,

Defendant.

2:20-cv-00931-TLN-AC

ORDER

The United States of America (“Government”) filed the above-entitled forfeiture *in rem* action, seeking entry of default judgment against potential claimants and the entry of final judgment to forfeit to the Government “Approximately \$67,090.00 in U.S. Currency” (“defendant currency”) under 21 U.S.C. § 881(a)(6). The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Currently before the Court is the Government’s *ex parte* Motion for Default Judgment pursuant to Federal Rule of Civil Procedure 55(b)(2). (ECF No. 10.) There was no appearance by or on behalf of any other person or entity claiming an interest in the above-captioned defendant currency to oppose the Government’s motion.

On November 18, 2020, the magistrate judge filed findings and recommendations. (ECF No. 11.) Pursuant to 28 U.S.C. § 636(b)(1), any objections to the findings and recommendations were to be filed within fourteen days. No objections to the findings and recommendations have been filed.

1 Accordingly, the Court presumes that any findings of fact are correct. *See Orand v. United*
2 *States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de
3 novo. *See Britt v. Simi Valley Unified School District*, 708 F.2d 452, 454 (9th Cir. 1983); *see also* 28
4 U.S.C. § 636(b)(1).

5 Having reviewed the file under the applicable legal standards, the Court finds the findings and
6 recommendations to be supported by the record and by the magistrate judge's analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. The Findings and Recommendations filed on November 18, 2020 (ECF No. 11), are adopted
9 in full;

10 2. The Government's Motion for Default Judgment (ECF No. 10) is GRANTED;

11 3. A Judgment by Default is hereby entered against any right, title, or interest of all potential
12 claimants, including Branden Marquell Dinkins, in the defendant currency referenced in the above
13 caption;

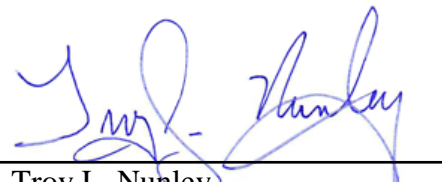
14 4. A Final Judgment of Forfeiture is hereby entered pursuant to 21 U.S.C. § 881(a)(6),
15 forfeiting all right, title, and interest in the defendant currency to the Government, to be disposed of
16 according to law; and

17 5. All parties shall bear their own costs and attorney's fees.

18 IT IS SO ORDERED.

19 DATED: December 7, 2020

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Troy L. Nunley
United States District Judge